

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

RUSTEM KAZAZI, et al.	)	CASE NO.: 4:18-mc-00051-DAP
	)	
Movants,	)	JUDGE DAN AARON POLSTER
	)	
v.	)	
	)	
U.S. CUSTOMS AND BORDER PROTECTION, et al.	)	RESPONDENTS' UNOPPOSED MOTION
	)	TO ADD ACTING DIRETOR RONALD
	)	D. VITIELLO OF IMMIGRATION
Respondents.	)	AND CUSTOM ENFORCEMENT AS A
	)	PARTY RESPONDENT

Now come Respondents, by and through Justin E. Herdman, United States Attorney for the Northern District of Ohio, and Assistant United States Attorneys Renée A. Bacchus and Lisa Hammond Johnson, pursuant to Fed. R. Civ. P. 15, and hereby move this Honorable Court for an Order adding the Acting Director Ronald D. Vitiello of Immigration and Customs Enforcement ("ICE") in his official capacity as a party Respondent.

Respondents state that ICE is a real party in interest. Petitioners' 41(g) motion names Tim Starks, and incorrectly asserts he is an employee of Customs and Broder Protection ("CPB"). (Pet. ECF No. 1.) Agent Starks is actually an employee of ICE. (See Respondents'

Br. in Opp'n ECF No. 10, PageID # 176-177.) Thus, to the extent Petitioners seek the return of property seized by an ICE employee, ICE is also a real party in interest.

Respondents state that including ICE as a real party in interest is necessary in order to facilitate a timely resolution of this matter. Counsel for Petitioners does not oppose this motion. For the foregoing reasons, Respondents respectfully move the Court to add Acting Director Ronald D. Vitiello of ICE in his official capacity as a party Respondent.

Respectfully submitted,

JUSTIN E. HERDMAN  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this 26th day of October, 2018, a copy of the foregoing Respondents' Unopposed Motion to Add Acting Director Ronald D. Vitiello of Immigration and Custom Enforcement as a Party Respondent filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

s/ *Renée A. Bacchus*

Renée A. Bacchus

Assistant U.S. Attorney